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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

CENTRAL VALLEY AIR QUALITY)
COALITION, a fiscally sponsored project of)
Social and Environmental Entrepreneurs, Inc.,)
COMMITTEE FOR A BETTER ARVIN, a)
nonprofit corporation, COMMITTEE FOR A)
BETTER SHAFTER, a nonprofit corporation,)
DELANO GUARDIANS, an unincorporated)
association, and SOCIAL AND)
ENVIRONMENTAL ENTREPRENEURS, INC.,)
a nonprofit corporation.)

Plaintiffs,)

v.)

SAN JOAQUIN VALLEY UNIFIED AIR)
POLLUTION CONTROL DISTRICT, and the)
GOVERNING BOARD OF THE SAN)
JOAQUIN VALLEY UNIFIED AIR)
POLLUTION CONTROL DISTRICT,)

Defendants.)

Case No. 1:23-cv-00794-KES-SKO

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE INITIAL
SCHEDULING CONFERENCE**

Pursuant to Local Rule 143, the Plaintiffs Central Valley Air Quality Coalition, Committee for a Better Arvin, Committee for a Better Shafter, and Delano Guardians (collectively “Plaintiffs”), Defendants San Joaquin Valley Unified Air Pollution Control District and its Governing Board (collectively “Defendants”) hereby stipulate to continue the Initial Scheduling Conference, presently set for January 23, 2024 at 9:45 am before Magistrate Judge Sheila K. Oberto, to March 27, 2025 at 9:45 am because of the Defendants’ pending Motion to Dismiss.

In support of this request, the Parties state as follows:

1. On May 24, 2023, the Plaintiffs filed a Complaint alleging violations of an emission standard or limitation under the Clean Air Act. (Dkt. No. 1).
2. On May 24, 2023, the Court set the Initial Scheduling Conference for September 12, 2023 at 9:45 am before Magistrate Judge Sheila K. Oberto. (Dkt. No. 3).
3. On June 15, 2023, the Defendants filed their Motion to Dismiss. (Dkt. No. 8).
4. On August 7, 2023, the Court continued the Initial Scheduling Conference to March 12, 2024 in light of the pending Motion to Dismiss. (Dkt. No. 17).
5. On January 25, 2024, the Court continued the Initial Scheduling Conference to July 18, 2024. (Dkt. No. 19).
6. On June 21, 2024, the Court continued the Initial Scheduling Conference to January 23, 2025. (Dkt. No. 22),
7. The Parties would like to continue the Initial Scheduling Conference to March 27, 2025 because of the pending Motion to Dismiss.

STIPULATION

IT IS HEREBY STIPULATED AND AGREED between Plaintiffs and Defendants, by and through their respective counsel, that the Initial Scheduling Conference is continued to March 27, 2025 at 9:45 am.

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1 Dated: December 5, 2024

Respectfully submitted,

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3 /s/ Bradley Hogin

BRADLEY HOGIN

4 *Attorney for Defendants San Joaquin Valley*
5 *Unified Air Pollution Control District and*
6 *the Governing Board of the San Joaquin*
7 *Valley Unified Air Pollution Control*
8 *District*

9 Dated: December 5, 2024

Respectfully submitted,

10 /s/ Brent J. Newell

BRENT J. NEWELL

11 *Attorney for Plaintiffs Central Valley Air*
12 *Quality Coalition, Committee for a Better*
13 *Arvin, Committee for a Better Shafter, and*
14 *Delano Guardians*

PROPOSED ORDER

Pursuant to stipulation and for good cause shown, the Initial Scheduling Conference is continued to March 27, 2025 at 9:45 am before Magistrate Judge Sheila K. Oberto.

IT IS SO ORDERED.

DATED: _____

THE HONORABLE SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system on December 5, 2024, which will send notification of said filing to the attorneys of record, who are required to have registered with the Court's CM/ECF system.

/s/ Brent Newell
Brent Newell